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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
Pre-sessional Working Group
15-19 May 2000

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

List of issues to be taken up in connection with the consideration of the third periodic report of Yugoslavia concerning the rights covered by articles 1-15 of the International Covenant on Economic, Social and Cultural Rights (E/1994/104/Add.22)

I. GENERAL INFORMATION

A. Territory and population

1. Please provide updated information on the country: territory, population broken down by ethnic group, sex, age, etc., and also provide social and economic indicators of the current situation in the country: GDP, per capita income, subsistence minimum, rates of inflation, volumes of foreign and domestic debt.

B. General legal basis for the protection of human rights

2. Please provide information on any changes in the system for the protection of human rights provided by the legislation of Yugoslavia since 1994.

3. The Constitution of the Federal Republic of Yugoslavia affirms that the ratified international treaties and generally accepted rules of international law are a constituent part of the internal legal order of the country (article 16 of the Federal Constitution). Does this mean that the Covenant and other international instruments on human rights may be directly invoked in the courts of Yugoslavia, Serbia and Montenegro?

4. Please provide information on whether the State party has developed a national plan of action, as called for in paragraph 71 of the 1993 Vienna Declaration and Programme of Action.

5. What is Yugoslavia's position vis-à-vis the recommendation of the World Conference on Human Rights concerning the preparation of an optional protocol to the International Covenant on Economic, Social and Cultural Rights?

6. Please describe the existing mechanisms and specific measures to bring the national legislation on human rights in Yugoslavia into line with the State party's international obligations, and in particular its obligations under the Covenant.

7. Please inform the Committee whether the human rights legislation in Yugoslavia is consistent with the Covenant and is uniform throughout the entire country.

C. Information on rights under the Covenant

8. Please provide information on the steps taken by the State party, with a view to informing the public and the relevant authorities, and in particular those serving in law enforcement bodies, about the rights contained in the international human rights instruments in general, and in the International Covenant on Economic, Social and Cultural Rights in particular.

9. To what extent did the non-governmental organizations of Yugoslavia participate in the preparation of the present report?

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)

Article 1: Right to self-determination

10. Provide updated information, if available, on the issue of self-determination in Yugoslavia. Since there is no information on this issue in the report, please describe the legislation in force in Yugoslavia on issues of self-determination.

11. Please provide updated information on the right to self-determination in the State party, including in the autonomous provinces of Vojvodina and Kosovo.

Article 2: Non-discrimination

12. Please provide information on the enjoyment of economic, social and cultural rights as enshrined in the Covenant by persons belonging to national minorities and foreigners.

Article 3: Equality of rights of men and women

13. As the report by the State party on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women was prepared in 1993, please provide updated information on the position of women in Yugoslav society (education, employment, remuneration, mortality, participation in management and other areas).

14. The statistical information provided by the State party demonstrates that the social and economic indicators for the female population of Yugoslavia are, on the whole, worse than those for the male population (unemployment is higher for women, the illiteracy rate is four times higher for women, etc.). To what extent can this situation be attributed to, and is it not evidence of discrimination against women in Yugoslavia?

III. ISSUES RELATING TO SPECIFIC RIGHTS UNDER THE COVENANT (arts. 6-15)

Article 6. Right to work

15. Please provide more detailed and updated information to supplement paragraph 32 of the report, on unemployment trends in the country, disaggregated by sex and age group, and on steps being taken by the State party to tackle the problem.

16. Paragraph 28 of the report refers to a Programme for Reconstruction of the Monetary System and Economic Recovery of Yugoslavia, which has been implemented since 1994. What has the impact of this programme been on economic growth and employment? Please also indicate the meaning of "technically redundant", as mentioned in the same paragraph of the report.

17. Paragraph 30 of the report mentions technical and professional training and retraining programmes. What has the impact of these programmes been and how have they affected unemployment trends?

18. Paragraph 33 of the report describes changes in the labour legislation which, in particular, were intended to expand the possibilities for employment in the public and private sectors. Please indicate whether these expectations have been fulfilled.

Article 7. Right to just and favourable conditions of work

19. What are the average wages for various production sectors (industry, construction, agriculture, etc.) and how do these correlate with the cost of living?

20. Please indicate how and by whom the salary and wage increases mentioned in paragraph 50 of the report are determined.

21. Please provide clarification on the system of payment of the guaranteed wage mentioned in paragraph 56 of the report.

22. Please indicate how the ratified international conventions on work safety mentioned in paragraph 58 of the report are applied in the courts of Yugoslavia. Please also provide data updated since 1996 on compliance with obligations in the area of work safety, and in particular data on accidents at work.

Article 8: Trade union rights

23. With reference to paragraph 75 of the report, please indicate whether there have been any cases in Yugoslavia of trade unions being banned from operating.

24. Please describe the existing prohibitions on strikes in Yugoslavia, in particular in the Law on Strikes mentioned in paragraph 78 of the report.

25. Please describe the existing mechanisms for protecting the right to strike.

Article 9: Right to social security

26. What is the pension base mentioned in paragraph 84 of the report?

27. Please provide updated information on the correlation between the levels of pensions and disability benefits and the cost of living.

28. Please provide updated information on expenditures on social security and trends in that area over the last five years.

29. Please indicate to what extent the system of voluntary insurance described in paragraph 95 of the report is now being applied in practice.

Article 10: Protection of the family, mothers and children

30. Please provide updated information on the levels of benefits paid to low-income families, mothers, parents and children, as described in paragraphs 106-108 of the report.

31. Please describe the special importance accorded to the issue of maternity in Yugoslavia, with reference to paragraph 109 of the report.

32. Please define the meaning of discrimination on the basis of family obligations, mentioned in paragraph 111 of the report.

33. Please provide updated information on the use of child labour in the country and on the special protection at work, stipulated by law, for employed women and children, referred to in paragraphs 121 and 122 of the report.

34. Please indicate the various causes, measures and forms of care referred to in the last sentence of paragraph 123 of the report.

35. Please provide information on the extent of violence against women and children in the State party, and in particular violence at home.

Article 11: Right to an adequate standard of living

36. Please provide updated information on the overall level of measurable losses incurred by the economy of Yugoslavia as a result of the imposition of sanctions by the United Nations Security Council, mentioned in paragraphs 26 and 27 of the report.

37. Please describe what is meant by the category "poor" in the context of Yugoslavia's social legislation and what steps the State party is taking to improve the situation of these people.

38. Please provide statistical data on the housing situation and homelessness in Yugoslavia. Are there any government programmes for housing construction, for the provision of mortgages or other measures in the area of housing?

Article 12: Right to physical and mental health

39. Please provide updated information on trends in health-care expenditure over the last five years.

40. Paragraph 131 of the report provides information about changed morbidity and mortality rates of the most vulnerable population categories. Please indicate the changes that have occurred since the report was submitted.

41. Please provide information on the results of the health-care programmes mentioned in paragraph 138 (d) of the report.

42. Please provide updated information on any changes in the system of social insurance in the area of health care.

43. Please indicate to what extent the objectives of the Health for all by the year 2000 strategy, mentioned in paragraph 146 of the report, have been achieved.

Articles 13 and 14: Right to education

44. Please provide statistical information on expenditures on education in Yugoslavia, at all levels of education.

45. Please describe the results of the education reforms mentioned in paragraphs 163 and 164 of the report.

46. Please provide data on the availability of school facilities in terms of quality and quantity, in particular in areas inhabited by national minorities.

47. Please provide updated information on the salaries of teachers and university lecturers, and please indicate whether the shortage of teaching staff mentioned in paragraph 183 of the report has been overcome.

48. Please provide statistical information on the development of private educational institutions in Yugoslavia.

49. Please provide information on the position of human rights teaching in the curricula of schools and universities.

Article 15: Right to participate in cultural life

50. Provide updated statistics on the expenditures on culture and science in Yugoslavia and trends in such expenditures over the last five years.

51. Please provide more detailed information on the implementation of the Law on Financing the Scientific and Technological Development of the Federal Republic of Yugoslavia, adopted in 1993.

52. Please provide data on the development in Yugoslavia of the system of scientific and technological information mentioned in paragraph 197 of the report.

53. Please describe the steps taken by the State party over the last few years with a view to preserving the culture of minorities in Yugoslavia.